

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TENNESSEE

Estate of Kelsey Wolfe, b/n/f Next of Kin Roger Wolfe and Melissa
Sisk as Administrator of the Estate of Kelsey Wolfe v. Cocke County,
Tennessee, Sheriff Armando Fontes, Jail Admin. Josh Hartsell, and
CPT. Bob Schaff

No. 2:24-CV-158-DCLC-CRW (E.D. Tenn. June 8, 2026) · No. No. 2:24-CV-158-DCLC-CRW · Decided June
8, 2026

SUMMARY

The United States District Court for the Eastern District of Tennessee grants Defendants’ converted motion for summary judgment and dismisses the action arising from Kelsey Wolfe’s fentanyl-overdose death while incarcerated at the Cocke County Jail. The court rejects the individual-capacity, official-capacity, Monell, failure-to-protect, and inadequate-medical-care claims, finding no evidence of a constitutional violation or municipal liability. The court also grants summary judgment on any intended state-law claims because the complaint did not adequately plead them.

CASE DETAILS

COURT	United States District Court for the Eastern District of Tennessee
WRITING FOR THE COURT	Clifton L. Corker
JURISDICTION	United States District Court for the Eastern District of Tennessee, Greeneville
DECIDED	June 8, 2026
DOCKET	No. 2:24-CV-158-DCLC-CRW
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiffs brought a civil-rights action under 42 U.S.C. § 1983 arising from Kelsey Wolfe's death while incarcerated at the Cocke County Jail. Defendants moved for summary judgment, and the motion was converted from a motion to dismiss.
STANDARD OF REVIEW	Summary judgment is proper when the pleadings and evidence, viewed in the light most favorable to the nonmoving party, show no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. Once the movant supports the motion with

	competent evidence, the nonmovant must identify specific facts showing a genuine issue for trial.
PRECEDENTIAL VALUE	Unpublished federal district court memorandum and order; persuasive rather than binding outside the case.
PARTIES	Estate of Kelsey Wolfe, b/n/f Next of Kin Roger Wolfe and Melissa Sisk as Administrator of the Estate of Kelsey Wolfe v. Cocke County, Tennessee, Sheriff Armando Fontes, Jail Admin. Josh Hartsell, CPT. Bob Schaff

TOPICS

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QUESTIONS PRESENTED

1. Whether the individual defendants could be held liable in their individual capacities when the complaint did not clearly specify individual-capacity claims and the record showed no personal involvement in the alleged constitutional violations.
2. Whether the official-capacity claims against the sheriff, jail administrator, and captain were redundant because Cocke County was also named as a defendant.
3. Whether Plaintiffs presented sufficient evidence to establish a municipal liability claim under Monell based on failure to protect Wolfe from drugs or failure to provide adequate medical care.
4. Whether Plaintiffs stated or supported any Tennessee-law claims.
5. Whether summary judgment was appropriate on all claims.

HOLDINGS

1. The individual-capacity claims against Sheriff Fontes, Jail Administrator Hartsell, and Captain Schaff must be dismissed because the course of proceedings did not provide fair notice that they were being sued personally, and the record did not establish their personal involvement or active unconstitutional conduct.
2. The official-capacity claims against the individual defendants are dismissed as redundant of the claims against Cocke County.
3. Plaintiffs failed to establish a constitutional failure-to-protect violation or municipal liability based on Wolfe's access to fentanyl and resulting overdose.
4. Cocke County was entitled to summary judgment because Plaintiffs failed to identify a county policy or custom that was the moving force behind an underlying constitutional violation.

5. Plaintiffs failed to establish that Cocke County or its officers deliberately and recklessly disregarded Wolfe's serious medical needs.
6. Any intended Tennessee-law claims fail because the complaint did not state the facts supporting a state-law claim.

KEY QUOTATIONS

“The plaintiff must also demonstrate that, through its deliberate conduct, the municipality was the ‘moving force’ behind the injury alleged.” (Section III.A.3)

“Where a court fails to adhere to rigorous requirements of culpability and causation, municipal liability collapses into respondeat superior liability.” (Section III.A.3)

“For the reasons set forth above, Defendants’ motion [Doc. 12] is GRANTED, and this action will be DISMISSED.” (Section IV)

FACTUAL BACKGROUND

Kelsey Wolfe was incarcerated at the Cocke County Jail and had obtained trustee status, which involved less supervision than ordinary inmate status. She reported feeling ill during the two days before her death, received medical attention, and had a negative drug screen on the day of her death. Later that evening, she became unresponsive in her cell; correctional officers attempted resuscitation and summoned emergency medical assistance. Wolfe died from an accidental fentanyl overdose, and the investigation did not identify the source of the drugs.

PROCEDURAL HISTORY

Plaintiffs filed an unverified complaint asserting claims under the Eighth and Fourteenth Amendments and referencing Tennessee law. Defendants filed a converted motion for summary judgment supported by evidence. The court concluded that Plaintiffs failed to produce evidence creating a genuine dispute of material fact or establishing an underlying constitutional violation, granted summary judgment, and dismissed the action.

DISPOSITION

dismissed

CASES CITED

- Celotex Corp. v. Catrett, 477 U.S. 317, 322–23 (1986)
- Jones v. Muskegon Cnty., 625 F.3d 935, 940 (6th Cir. 2010)
- El Bey v. Roop, 530 F.3d 407, 414 (6th Cir. 2008)
- M.J. by & through S.J. v. Akron City Sch. Dist. Bd. of Educ., 1 F.4th 436, 445 (6th Cir. 2021)
- Alexander v. CareSource, 576 F.3d 551, 558 (6th Cir. 2009)
- Moore v. City of Harriman, 272 F.3d 769, 772–73 (6th Cir. 2001)
- Vittetoe v. Blount Cnty., 861 F. App’x 843, 851 (6th Cir. 2021)

- Robertson v. Lucas, 753 F.3d 606, 615 (6th Cir. 2014)
- Ashcroft v. Iqbal, 556 U.S. 662, 676 (2009)
- Marcilis v. Twp. of Redford, 693 F.3d 589, 596 (6th Cir. 2012)
- Lanman v. Hinson, 529 F.3d 673, 684 (6th Cir. 2008)
- Crawford v. Tilley, 15 F.4th 752, 761 (6th Cir. 2021)
- Garza v. Lansing Sch. Dist., 972 F.3d 853, 865 (6th Cir. 2020)
- Bass v. Robinson, 167 F.3d 1041, 1048 (6th Cir. 1999)
- Sheehee v. Luttrell, 199 F.3d 295, 300 (6th Cir. 1999)
- Kentucky v. Graham, 473 U.S. 159, 165 (1985)
- Foster v. Mich., 573 F. App'x 377, 390 (6th Cir. 2014)
- Schirmer v. Powell Cnty. Det. Ctr., 685 F. Supp. 3d 459, 463 (E.D. Ky. 2023)
- Connick v. Thompson, 563 U.S. 51, 60 (2011)
- Pembaur v. Cincinnati, 475 U.S. 469, 479 (1986)
- Monell v. Dep't of Soc. Servs., 436 U.S. 658, 694 (1978)
- City of Oklahoma City v. Tuttle, 471 U.S. 808, 823 (1985)
- Garner v. Memphis Police Dep't, 8 F.3d 358, 364 (6th Cir. 1993)
- Bd. of Comm'rs of Bryan Cnty. v. Brown, 520 U.S. 397, 404, 415 (1997)
- Farmer v. Brennan, 511 U.S. 825, 834 (1994)
- Westmoreland v. Butler Cnty., 29 F.4th 721, 728–29 (6th Cir. 2022)
- Brawner v. Scott Cnty., Tenn., 14 F.4th 585, 596 (6th Cir. 2021)
- Stein v. Gunkel, 43 F.4th 633, 639 (6th Cir. 2022)
- Zakora v. Chrisman, 44 F.4th 452, 472 (6th Cir. 2022)
- Caraway v. CoreCivic of Tenn., LLC, 98 F.4th 679, 684 (6th Cir. 2024)
- Helphenstine v. Lewis Cnty., 60 F.4th 305, 317 (6th Cir. 2023)
- Grote v. Kenton Cnty., 85 F.4th 397, 412 (6th Cir. 2023)
- McGaw v. Sevier Cnty., 715 F. App'x 495, 498 (6th Cir. 2017)
- Chambers v. Sanders, 63 F.4th 1092, 1101–02 (6th Cir. 2023)
- Webb v. Nashville Area Habitat for Humanity, Inc., 346 S.W.3d 422, 426 (Tenn. 2011)